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2 IN THE UNITED STATES DISTRICT COURT
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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7 ISAAC ADETAYO GRILLO, M.D.,

No. C 05-2559 SBA

8 Plaintiff.

ORDER

9 v.

10 STATE OF CALIFORNIA, et al.,

11 Defendants.
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13 On March 8, 2006, this Court issued an Order in the above-captioned case instructing Plaintiff
14 to show cause as to why his claims against defendant William A. Norcross, the remaining defendant in
15 the action, should not be dismissed for lack of subject matter jurisdiction.

16 On March 17, 2006, Plaintiff filed a Request to Dismiss Dr. Norcross without Prejudice
17 ("Request for Dismissal") [Docket No. 40].¹

18 Accordingly,

19 IT IS HEREBY ORDERED THAT Plaintiff's Request for Dismissal [Docket No. 40] is
20 GRANTED IN PART AND DENIED IN PART. Defendant William A. Norcross is hereby
21 DISMISSED WITHOUT PREJUDICE. Plaintiff's request that the Court direct the Clerk of Court to
22 file a Notice of Appeal on his behalf is DENIED. If Plaintiff wishes to file a Notice of Appeal, he
23 should follow the appropriate procedure.

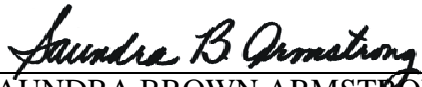
24 IT IS FURTHER ORDERED THAT the April 26, 2006 Order to Show Cause hearing is
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27 ¹Plaintiff, who is represented by an attorney, also requests that the Court direct the Clerk of
28 Court to enter a Notice of Appeal, which is attached as an exhibit to his Request for Dismissal, on his
behalf. However, it is not the Court's responsibility to file Plaintiff's Notice of Appeal, it is *Plaintiff's*
responsibility.

1 VACATED. The Clerk is directed to close the file and to terminate any pending matters.

2 IT IS SO ORDERED.

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4 Dated: 3/17/06


SAUNDRA BROWN ARMSTRONG
United States District Judge